

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Tony Roberts,

Plaintiff,

V.

J. Beard et al.,

Defendants.

Case No: 15cv1044-WQH-(RBM)

**ORDER DENYING JOINT MOTION
TO CONTINUE THE EVIDENTIARY
HEARING (Doc. 146.)**

Before the Court is a Joint Motion to Continue the Evidentiary Hearing for

Thirty Days. (Doc. 146.) The Joint Motion lists the following reasons why the parties would like to move the evidentiary hearing date:

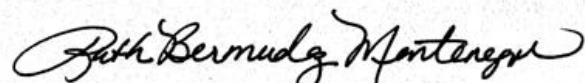
1. to allow the Court an opportunity to rule on Plaintiff's motion to appoint counsel;
2. to allow the parties to meet and confer prior to the evidentiary hearing;
3. to allow the Court an opportunity to rule on motions for witnesses; and

1 4. to allow the CDCR to receive the transportation order so that Plaintiff can be
2 present at the evidentiary hearing.
3

4 The Court does not find that any of these reasons are sufficient to justify
5 continuing the evidentiary hearing. The Court has already denied Plaintiff's motion to
6 appoint counsel and will rule on Plaintiff's motions to compel witnesses at the
7 November 14, 2018 telephonic hearing. Moreover, the parties have met and conferred
8 once over the evidentiary hearing and have plenty of time to do so again before the
9 evidentiary hearing to be held on November 28, 2018. Finally, the CDCR will receive
10 the transportation order in a timely manner. The joint motion to continue the
11 evidentiary hearing is denied.
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13 IT IS SO ORDERED.
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15 DATE: October 26, 2018
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17 Hon. Ruth Bermudez Montenegro
18 United States Magistrate Judge
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